

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 3706**
Adrian MERLO et al. : Attorney Docket No. 2005_1392A
Serial No. 10/549,665 : Group Art Unit 1618
Filed September 19, 2005 : Examiner Leah H. Schlientz
**RADIOPHARMACEUTICALS FOR CANCER
DIAGNOSIS AND TREATMENT** : **Mail Stop: AMENDMENT**

RESPONSE TO RESTRICTION/SPECIES ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated January 27, 2009, Applicants hereby elect the invention identified as Group II, claims 17-20, 29 and 30, drawn to a conjugate of a substance P analogue and a chelator molecule.

Applicants further elect

^{111}In -DOTA-Arg¹-Pro²-Lys³-Pro⁴-Gln⁵-Gln⁶-Phe⁷-Thi⁸-Gly⁹-Leu¹⁰-Met(O₂)¹¹-NH₂

^{111}In -DOTA-[Thi⁸, Met(O₂)¹¹]-Substance P

(Example B8 on page 22 of the specification) as the species of amino acid sequence for the substance P analogue. Applicants note that at least claims 17 and 18 read on the elected species.

Applicants reserve their right to file a continuation or divisional application to any withdrawn claims.

Applicants respectfully request that claims 21 to 28 be considered along with the elected claims. Applicants note that claims 21 to 28 refer directly or indirectly to the conjugate according to claim 17, and therefore should also belong to group II.

Upon allowance of the elected claims, the Examiner is requested to consider the possibility of rejoinder per M.P.E.P. § 821.04.

Favorable action on the merits is now requested.

Respectfully submitted,

Adrian MERLO et al.

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February 19, 2009